

Staff Summary Report



To: Mayor and City Council
Through: City Manager

Agenda Item Number 25
Meeting Date: 06/07/01

SUBJECT: SHARON ESTATES #ZON-2001.03 #SPD-2001.38 #SBD-2001.30

PREPARED BY: Hector Tapia, Senior Planner (480-350-8331)

REVIEWED BY: Dave Fackler, Development Services Manager (480-350-8333)

BRIEF: This is the second public hearing for Sharon Estates for a zoning change from AG to R1-15 and a Final PAD and Final Subdivision Plat at 9211 South Terrace Road.

q-j

COMMENTS: **PLANNED DEVELOPMENT (0406)** Hold the second public hearing for **SHARON ESTATES** (Sharon Krystofik and Robert Buller, property owners) for a zoning change from AG, Agricultural to R1-15, Single Family Residential, a Final PAD and Final Subdivision Plat located at 9211 South Terrace Road. The following approval is requested from the city of Tempe:

#ZON-2001.03 ORDINANCE NO. 808.2001.03 Zoning change from AG, Agricultural to R1-15, Single Family Residential on 0.81 net acres.

#SPD-2001.38 A Final Planned Area Development (PAD) and Final Subdivision Plat for Sharon Estates consisting of 2 lots on 0.81 net acres. **(Please see list of variances on Attachment #2.)**

#SBD-2001.30 A Final Subdivision Plat for 2 lots on 0.81 net acres.

Document Name: 20010607devsrh11

Supporting Documents: Yes

SUMMARY: This request is for a zoning change from AG, Agricultural to R1-15, Single Family Zoning District. The AG allows residential units up to one unit per acre. The R1-15 zoning classification allows up to 2.4 units per acre. The existing zoning surrounding the subject property is R1-15 to the east and north, and AG to the west and south. The proposed use is for two single family homes consistent with its surroundings. Due to the parcel size and the orientation of the proposed lots, building setback variances are required. The adjacent Las Estadas Subdivision was approved with front yard and side yard building setback variances. Staff feels that the requested variances are justifiable and consistent with its surroundings and should not be detrimental to adjacent property owners or the neighborhood. The proposed Final Subdivision Plat appears to meet the minimum requirements by Ordinance No. 99.21. Staff recommends approval subject to the attached conditions. Members of Las Estadas Home Owners Association and the applicants met on May 16, 2001 and agreed on stipulations for the Sharon Estates proposal.

RECOMMENDATION: Staff – Approval
Public – Comments
Planning Commission – Approval (7-0 vote)

ATTACHMENTS:

1. List of Attachments
- 2-3 History & Facts / Description / Comments
- 4-5 Conditions of Approval

- A. Location Map
- B. Final Subdivision Plat
- C. Elevations
- D. Floor Plan
- E. Letter of Explanation/Intent
- F. Letter of Support (petition)
- G. Aerial Photo and Part of Quarter Section Map
- H. Ord. No. 808.2001.03

HISTORY & FACTS:

1965. According to Maricopa County Assessors Office records, a house was built at the subject property in 1965.
- August 11, 1998. House and other structures on that property were demolished.
- May 16, 2000. Hearing Officer approved a request for the Seth Residence (12,800 s.f. home) for a variance to increase the maximum allowed lot coverage from 20% to 31% and for a variance to reduce minimum required side yard building setback from 20' to 15' in the AG zoning District. This house was never built.
- April 24, 2001. Planning Commission continued this case until May 8, 2001. The applicant modified the application to request a zoning change from AG to R1-15 instead of R1-10.
- May 8, 2001. Planning Commission approved the Zoning change from AG to R1-15 and continued the Final PAD (#SPD-2001.38) and Final Subdivision Plat (#SBD-2001.30) until May 22, 2001.
- May 22, 2001. Planning Commission approved the Final Planned Area Development and the Final Subdivision Plat, including four (4) variances.
- May 31, 2001. City Council held the first public hearing for this request.

DESCRIPTION:

Owner – Sharon Krystofik and Robert Buller
Applicant – Sharon Krystofik and Robert Buller
Engineer – Robert / Ralph, Land Surveyor
Existing zoning - AG
Proposed zoning – R1-15
Total site area – 0.96 gross acres (0.81 net acres)
Number of lots proposed - 2
Number of units allowed – 2
Number of units proposed – 2 units
Density allowed – 2.4 du/acre
Density proposed – 2 du/acre

Variances:

1. Reduce the minimum required front yard building setback from 35' to 25'.
2. Reduce the minimum required side yard building setback from 15' to 5' between Lots 1 and 2 and 15' to 5' for Lot 2 (east side yard building setback).
3. Reduce the minimum required street side yard building setback from 30' to 13'.
4. Reduce the minimum required lot width from 115' to 87'.

COMMENTS: This request is for a zoning change from AG, Agricultural to R1-15, Single Family Zoning District. The AG allows residential units up to one unit per acre. The R1-15 zoning classification allows up to 2.4 units per acre. The existing zoning surrounding the subject property is R1-15 to the east, north, and AG to the west and south.

General Plan 2020:

The General Plan 2020 Projected Land Use designates this parcel as Residential: less than or equal to 8 du/acre. The proposed land use is consistent with this plan and the surrounding neighborhood.

Zoning:

The Proposed zoning R1-15 is also consistent with existing zoning to the north and east of this parcel.

Variances:

Due to the parcel size and the orientation of the proposed two lots, a lot width variance is requested plus front yard, side yard, and street side yard building setbacks variances are necessary. Staff feels that the requested variances are justifiable and should not be detrimental to adjacent property owners.

Public Comments:

Members of Las Estadas Home Owners Association and the applicants met on May 16, 2001 and agreed on stipulations for the Sharon Estates proposal.

The proposed Final Subdivision Plat for two lots appears to meet the minimum requirements by Ordinance No. 99.21. Staff recommends approval subject to the attached conditions.

RECOMMENDATION: Approval

**REASON(S) FOR
APPROVAL:**

1. The zoning change request, R1-15, is consistent with zoning in the neighborhood.
2. The requested variances should not be detrimental to adjacent property owners or the neighborhood in general.
3. The proposed subdivision plat appears to meet the minimum requirements of Subdivision Ordinance 99.21.

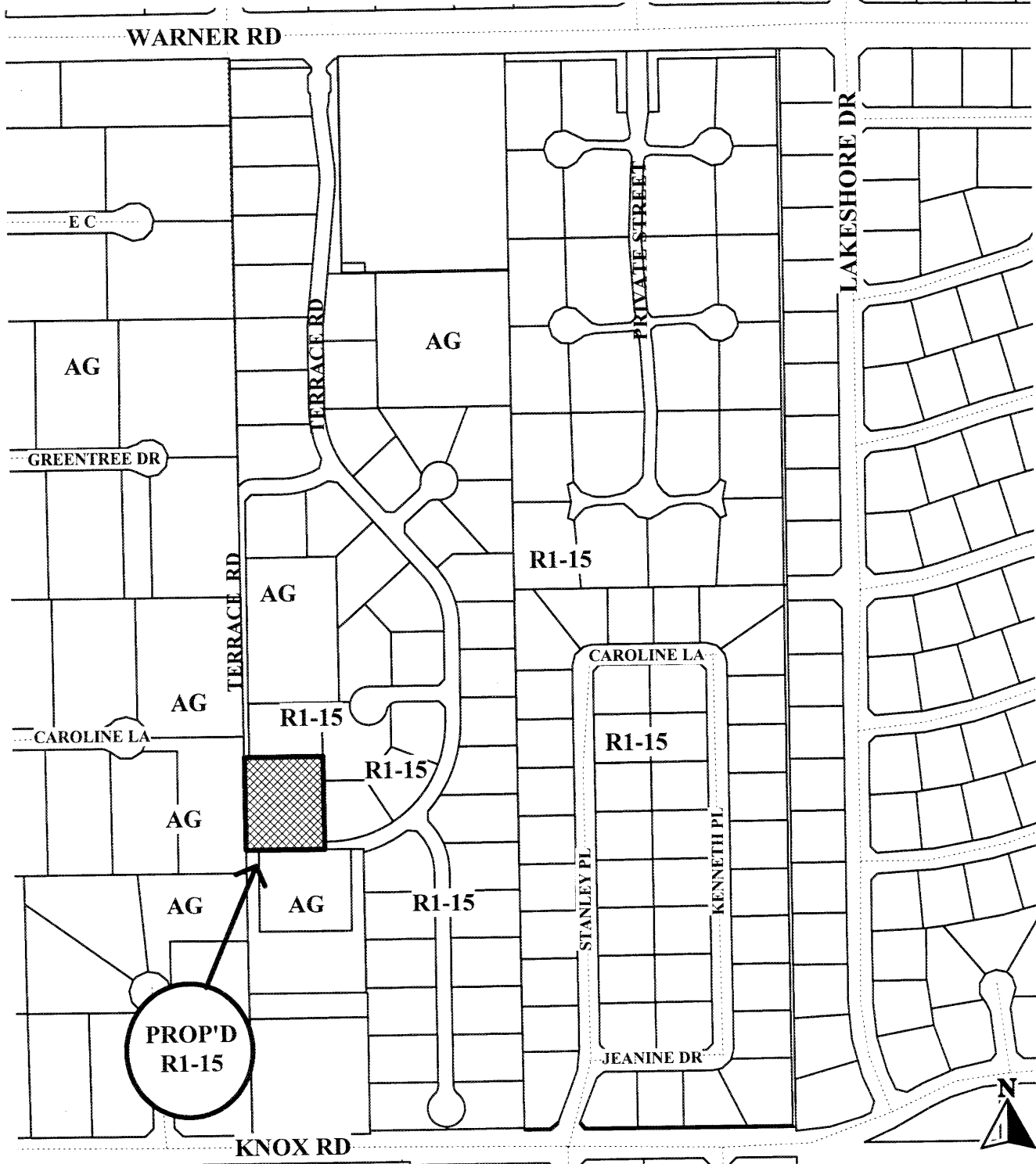
**CONDITION(S)
OF APPROVAL:**

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
- b. Off-site improvements to bring roadways to current standards include:
 - (1) Water lines and fire hydrants
 - (2) Sewer lines
 - (3) Storm drains.
 - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.
- c. Fees to be paid with the development of this project include:
 - (1) Water and sewer development fees.
 - (2) Water and/or sewer participation charges.
 - (3) Inspection and testing fees.
- d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
2. a. All street dedications shall be made within six (6) months of Council approval.
- b. Public improvements must be installed prior to the issuance of any occupancy permits. The Public Works Department shall approve any phasing.
- c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the Code of the City of Tempe - Section 25.120.
3. Future property lines without the prior approval of the City of Tempe may create no variances.
4. A valid building permit shall be obtained and substantial construction commenced within one year of the date of Council approval or the variances shall be deemed null and void.
5. A building permit shall be obtained and substantial construction commenced within two (2) years of the date of Council approval or the zoning shall revert to that in place at the time of application, subject to a public hearing.

6. The Final PAD and Final Subdivision Plat shall be recorded with the Maricopa County Recorders Office through the City of Tempe Development Services Department prior to issuance of building permits. The Planning Division staff prior to recordation shall review details of the document format.

SHARON ESTATES

SBD-2001.30
SPD-2001.38



Location Map

A

PLAY ON



LEGAL DESCRIPTION

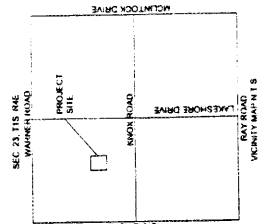
THE SOUTH 22¹/₂ FEET OF THE WEST 187 48 FEET OF THE SOUTH 348 56
FEET OF THE NORTH 1940 43 FEET OF THE WEST HALF OF THE EAST HALF
OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH,
RANGE 4 EAST OF THE GILA AND BAIT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

LEGAL DESCRIPTION - LOT 1
PARCEL A

THE WEST HALF OF THE SOUTH 22.28 FEET OF THE WEST 187.48 FEET OF THE SOUTH 348.86 FEET OF THE NORTH 1940.43 FEET OF THE WEST 1/4 OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

LEGAL DESCRIPTION - LOT 2
PARCEL B

THE EAST HALF OF THE SOUTH 222 28 FEET OF THE WEST 187 48 FEET OF THE SOUTH 348 80 FEET OF THE NORTH 1940 43 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SAN J RIVER BASE AND
MARIKUP, MARICOPA COUNTY, ARIZONA.



C SET 1/2" RE-BAR W/ CAP RLS 25398

SBD-2001.30

LOT SPLIT SURVEY EXHIBIT MAP

MAY 6 8 2001

LEGAL DESCRIPTION

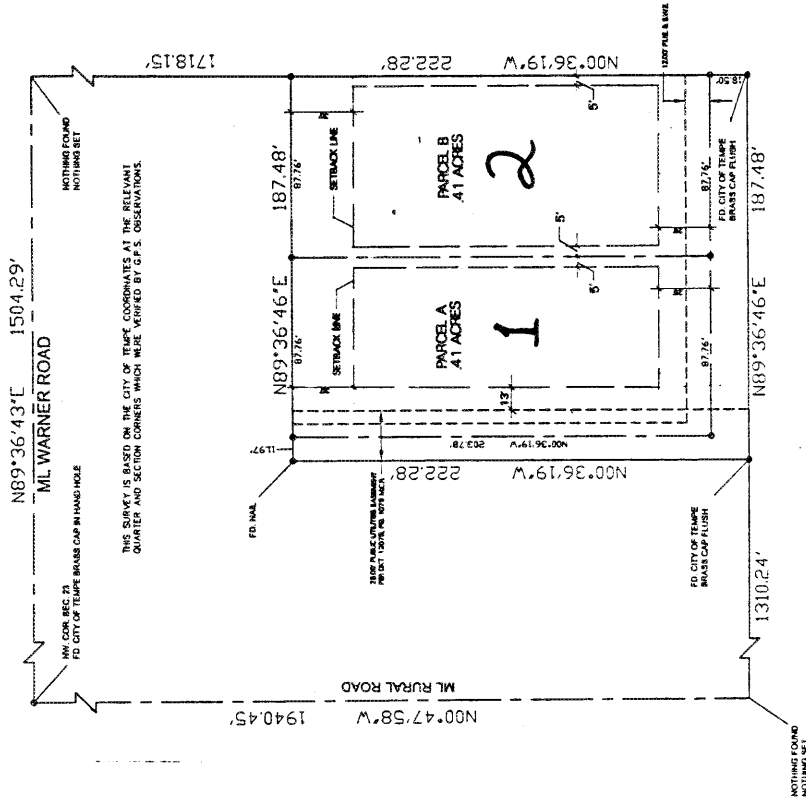
THE SOUTH 22.28 FEET OF THE WEST 187.48 FEET OF THE SOUTH 1/4 OF THE NORTH 1/4 OF THE WEST 1/4 OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE OLD AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

LEGAL DESCRIPTION - LOT 1 PARCEL A

THE WEST HALF OF THE SOUTH 22.28 FEET OF THE WEST 187.48 FEET OF THE NORTH 1/4 OF THE WEST 1/4 OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE OLD AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

LEGAL DESCRIPTION - LOT 2 PARCEL B

THE EAST HALF OF THE SOUTH 22.28 FEET OF THE WEST 187.48 FEET OF THE NORTH 1/4 OF THE WEST 1/4 OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE OLD AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



B₁

LOT SPLIT SURVEY

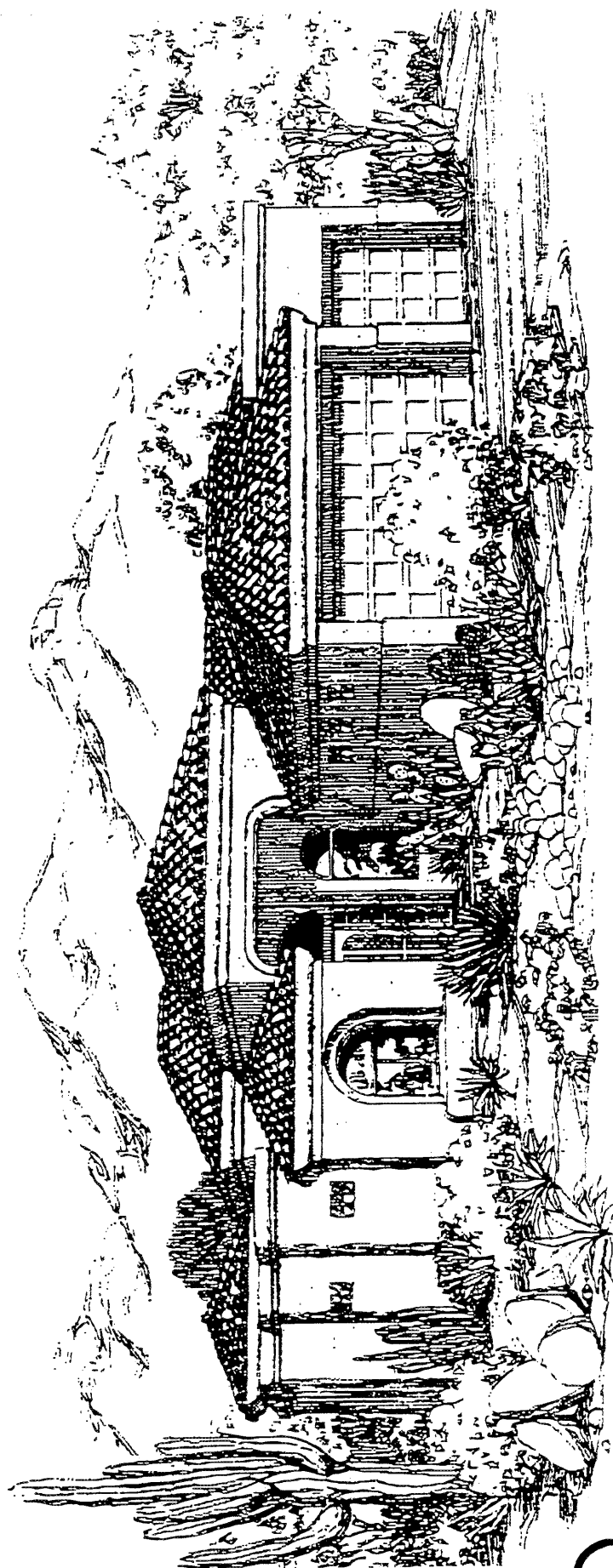
ROBERT RALPH LAND SURVEYOR



PROJECT NUMBER 10321XMB	DATE 03/23/01
PROJECT NAME LOT SPLIT SURVEY	CLIENT JAW/RJR
SCALE 1" = 30'	PROJECT LOCATION MARICOPA COUNTY, ARIZONA
LAND SURVEYOR ROBERT RALPH PROFESSIONAL NO. 2395 STATE OF ARIZONA LICENSE NO. 16373 EXPIRATION DATE 12/31/03 MOBILE (602) 818-5728 FAX (602) 818-5728	

SPD-2001.38

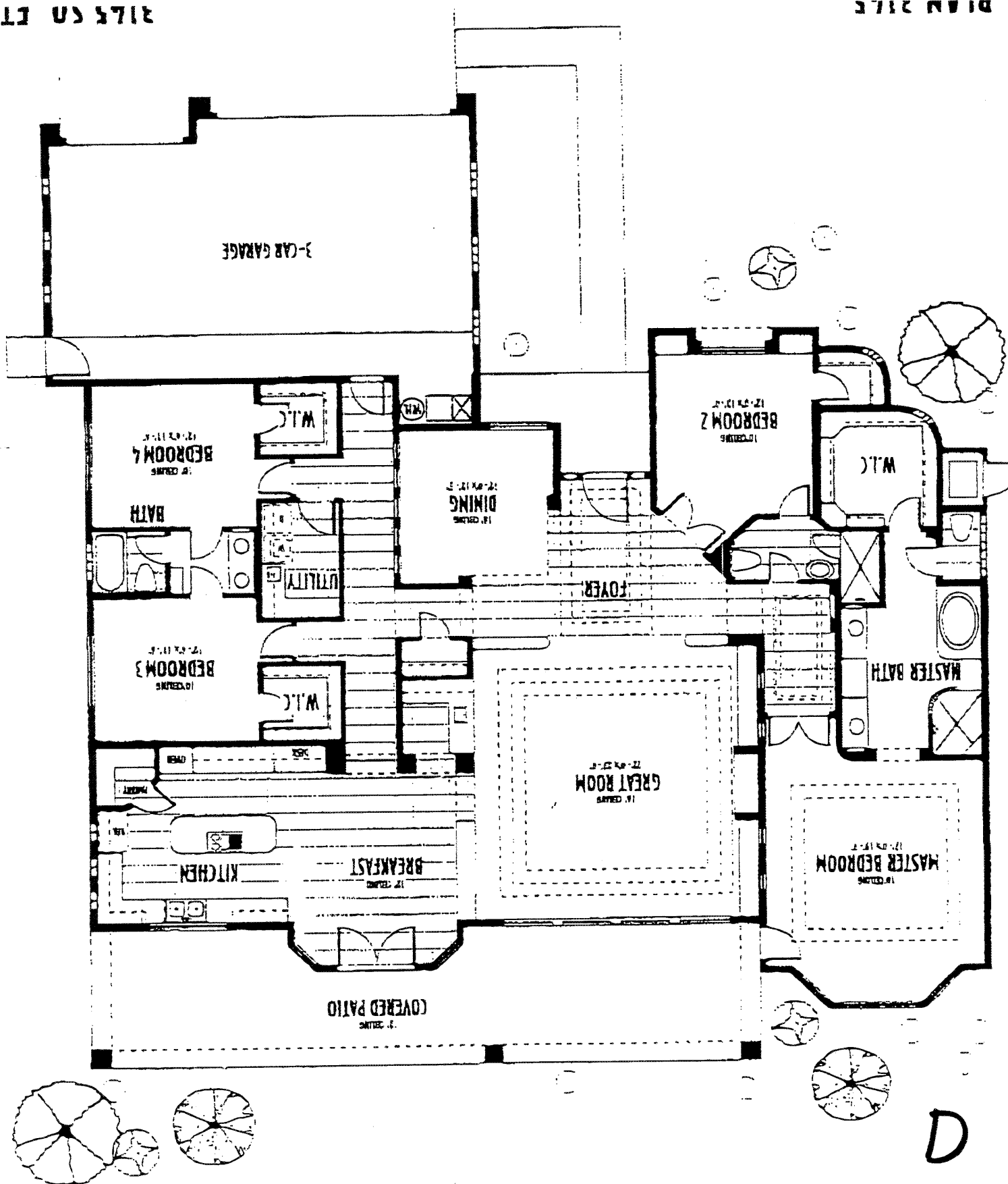
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C

3175 50 11

PLAN 2175



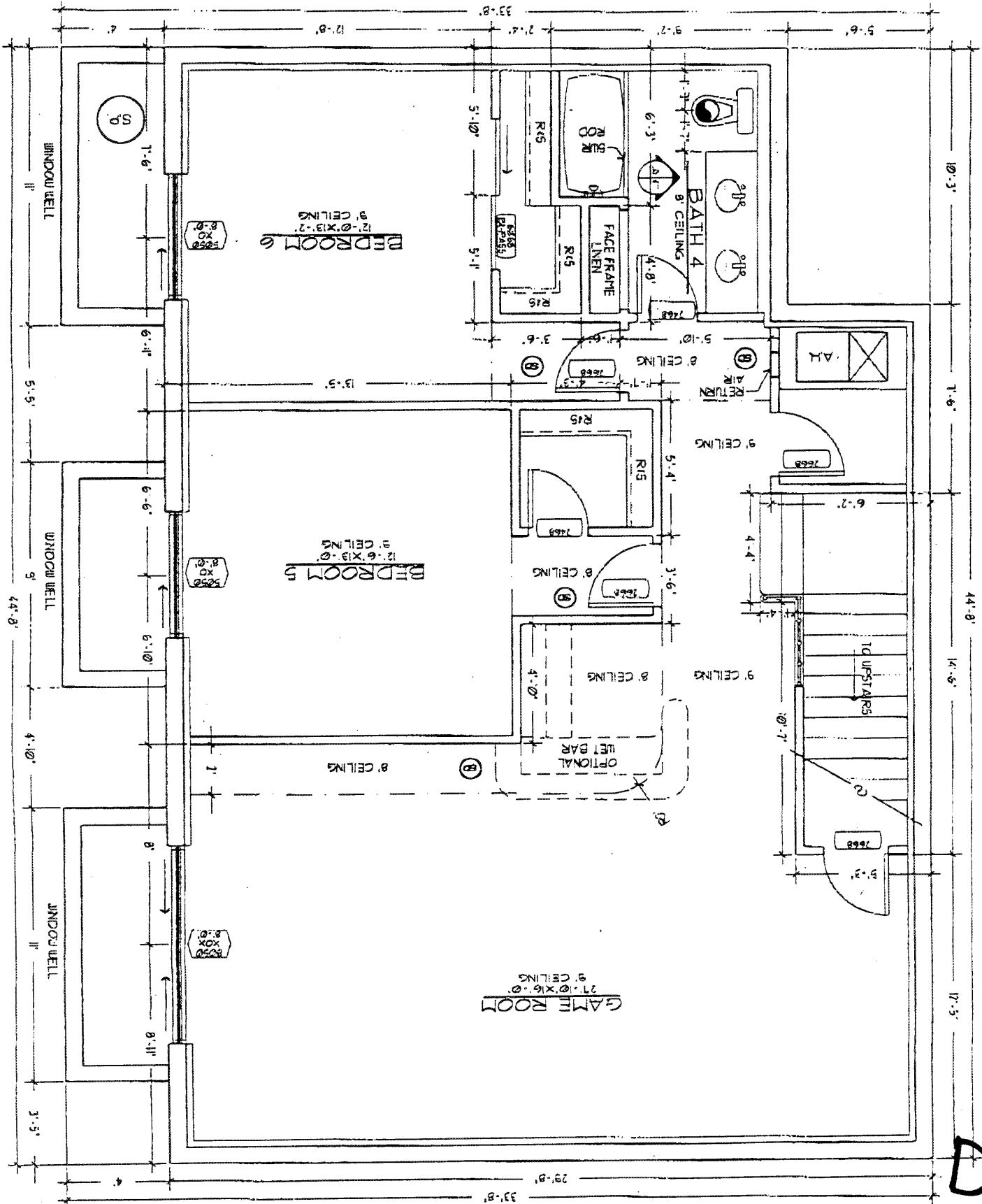
May. 02 2001 01:38PM P3

PHONE NO. : 480 456 3230

FROM : RON KRYSTOFIK

SCALE 1/4" = 1'-0"

FLOOR PLAN



LETTER OF EXPLANATION

PRESENTLY A PARCEL OF LAND WITH THE
EXISTING HOME ON RECORD DEMOLISHED.

REQUEST LOT SPLIT INTO TWO (2) PARCELS
OF EQUAL SIZE WITH THE FOLLOWING LEGAL
DESCRIPTION ATTACHED BY ROBERT RALPH
LAND SURVEYOR.

E

In order to accomplish this we need your concurrence of this for Planning and Zoning . Please sign the attached which will be submitted with our zoning change from AGR to R110.

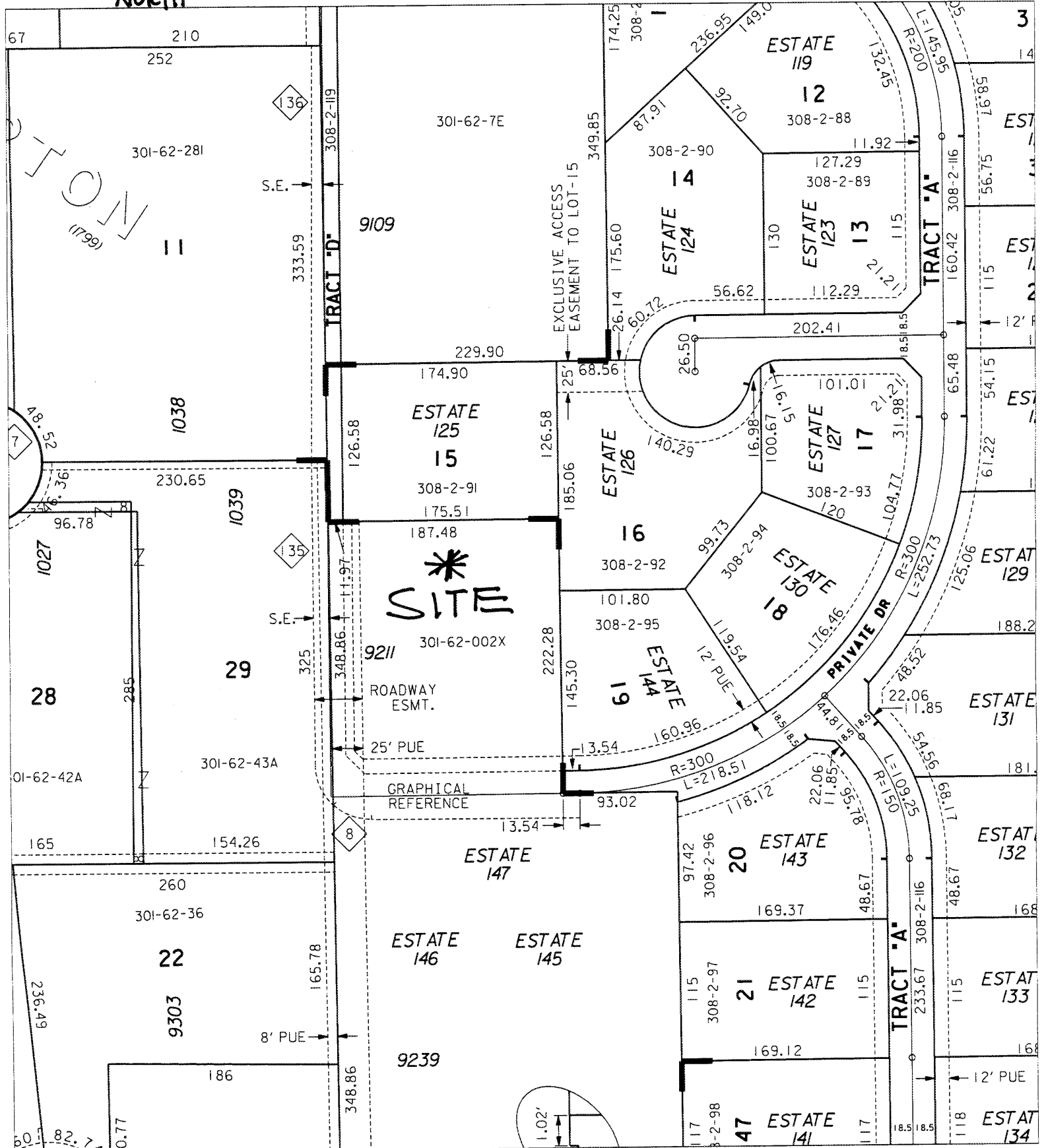
Unit#

Name	Address	Phone
Ernest Edmonds	9439 S. Turner Rd	
Ernest Edmonds	9239 S. Turner Rd	
John E. Warner	1101 E. Warner Rd	#145
John E. Warner	9109 S. Terrace	4/A
John E. Warner	1101 E. Warner	#125

F


NORTH





ORDINANCE NO. 808.2001.03

AN ORDINANCE AMENDING SECTION I OF PART 2.F. OF
ORDINANCE NO. 808 OF THE CITY OF TEMPE AND THE
DISTRICT ZONING MAP ACCOMPANYING AND MADE
PART OF THE SAID ORDINANCE NO. 808.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, as follows:

SECTION 1. That Section I.2.F. of Ordinance No. 808 of the Zoning Ordinance of the City of Tempe and the District Zoning Map of the City of Tempe accompanying and made a part of the said Ordinance No. 808 be and they are hereby amended by removing the below described property from the AG Agricultural and including it in the R1-10 One Family Residential District.

LEGAL DESCRIPTION

Lot 1

The West Half of the South 228.28 feet of the West 187.48 feet of the South 348.86 feet of the North 1940.43 feet of the West Half of the East Half of the Northwest Quarter of Section 23, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian , Maricopa County, Arizona.

Lot 2

The East Half of the South 228.28 feet of the West 187.48 feet of the South 348.86 feet of the North 1940.43 feet of the West Half of the East Half of the Northwest Quarter of Section 23, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

SECTION 2. Further, those conditions of approval imposed by the City Council, Case #ZON-2001.03 are hereby expressly incorporated in ordinance by this reference.

H

PASSED AND ADOPTED by the City Council of the City of Tempe, Arizona,
this ____ day of _____, 2001.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Development Services Director

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